

## REMARKS/ARGUMENTS

Among Claims 1, 3-8, 17 and 19-23 which were pending at the time of 10/20/03 Office Action, Claims 1 and 17 have been amended herein, and Claims 4 and 20 have now been canceled.

Claims 1, 3, 6-7, 17, 19, and 22 stand rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent Number 5,537,117 to Rose ("the Rose reference"). Claims 1 and 17 have been amended to include the features of Claims 4 and 20, respectively. Newly amended Claim 1 recites:

A method of suppressing interference in a radar device, comprising the steps of:

- transmitting signals with a carrier frequency;
- transmitting the signals as pulsed signals with a pulse repetition frequency;
- varying the pulse repetition frequency during operation of the radar device, **wherein the pulse repetition frequency is varied chaotically** in the pulse repetition frequency varying step; and
- varying the carrier frequency during operation of the radar device.

Newly amended claim 17 recites similar limitations regarding chaotically varying the pulse repetition frequency. As noted by the Examiner, "Rose does not teach varying the pulse repetition frequency chaotically." (Office Action of 10/20/2003, pg. 3, ll. 13-14). Since the Rose reference admittedly does not teach or disclose such a feature, the Rose reference does not anticipate independent Claims 1 and 17, as well as dependent Claims 3, 6-7, 19 and 22 under 35 U.S.C. §102(b). It is therefore respectfully requested that this rejection be withdrawn.

Claims 4 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Rose reference in view of United States Patent Number 4,717,917 to Alitz ("the Alitz reference"). Claims 4 and 20 have been canceled, and the features of Claims 4 and 20 have been included in Claims 1 and 17, respectively. Therefore this rejection with respect to Claims 4 and 17 is moot, and it is respectfully requested that it be withdrawn. However, in light of the amendment to Claims 1 and 17 incorporating the limitations of claims 4 and 20, respectively, Claims 1 and 17 will be addressed here with respect to the rejection based on Rose and Alitz.

The Rose reference describes a radar electronic counter-counter measure system. (Rose, col. 1, ll. 9-10). In this system, a pulse echo radar generates a false signal in both time

and frequency based passive Doppler ESM location systems. (Rose, col. 2, ll. 9-11). This false signal places the pulse echo radar at a spurious geolocation predetermined by the radar system. (Rose, col. 2, ll. 11-13). “In particular, this spurious location can be chosen to optimize some aspect of the radar system operation, such as maximizing the likelihood of successful missile intercept of the observer attempting to Doppler locate the radar.” (Rose, col. 2, ll. 13-17). To create the false position, the Rose reference teaches to perturb the PRF reference oscillator and the RF carrier oscillator according to **specific formulas**. (Rose, col. 2, l. 35 – col. 3, l. 24). Thus, the Rose reference directly teaches away **from chaotically varying the pulse repetition frequency**. In fact, chaotically varying the pulse repetition frequency would render the teaching of the Rose reference totally ineffective. If the PRF and RF oscillators were perturbed in a chaotic manner, the false location of the radar would not be consistent and would alert an observer that the radar location is false. Such an effect would allow the observer to engage alternative countermeasures to locate the radar’s true position. The motivation behind the Rose reference is to defeat Doppler location and countermeasures that may be employed to locate the radar. (Rose, col. 1, ll. 9-16, col. 3, ll. 25-37). Accordingly, not only is there no motivation to modify the teaching of the Rose reference with the teaching of the Alitz reference, but doing so would render the Rose reference unsuitable for its intended purpose, thereby defeating the obviousness conclusion as a matter of law. (See MPEP 2143.01). Since the combined teachings of the Rose reference and the Alitz reference do not disclose or suggest each and every feature of independent Claims 1 and 17, the combined teachings of the Rose and Alitz references do not render independent Claims 1 and 17 obvious under 35 U.S.C. §103(a). It is therefore respectfully requested that this rejection be withdrawn.

Claims 5 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Rose reference in view of United States Patent Number 5,109,231 to Olsson (“the Olsson reference”). Claims 5 and 21 depend from claims 1 and 17, respectively. As noted by the Examiner, “Rose does not teach varying the pulse repetition frequency chaotically.” (Office Action of 10/20/2003, pg. 3, ll. 13-14). The Olsson reference does not overcome this deficiency. Since the combined teachings of the Rose reference and the Olsson reference do not disclose or suggest each and every feature of Independent Claims 1 and 17, the combined teachings of the Rose and Olsson references do not render dependent Claims 5 and 21 obvious under 35 U.S.C. §103(a). It is therefore respectfully requested that this rejection be withdrawn.

Claims 8 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Rose reference in view of United States Patent Number 3,979,752 to Charlot (“the Charlot reference”). Claims 8 and 23 depend from Claims 1 and 17, respectively. As noted by the Examiner, “Rose does not teach varying the pulse repetition frequency chaotically.”

(Office Action of 10/20/2003, pg. 3, ll. 13-14). The Charlot reference does not overcome this deficiency. Since the combined teachings of the Rose reference and the Charlot reference do not disclose or suggest each and every feature of Independent Claims 1 and 17, the combined teachings of the Rose and Olsson references do not render dependent Claims 8 and 23 obvious under 35 U.S.C. §103(a). It is therefore respectfully requested that this rejection be withdrawn.

**Conclusion**

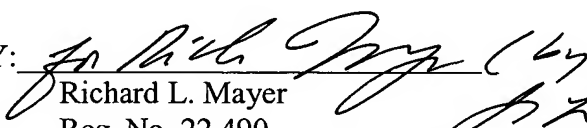
In light of the foregoing, it is respectfully submitted that all of the pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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Date: February 19, 2004

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